

## REMARKS

In the May 18, 2005 final Office action, claims 1, 2, 5, 6, 7, 21 and 24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chuter (6,454,795) and claims 1, 2, 5, 21 and 24 were rejected under § 102(b) as being anticipated by Pinchasik et al. (6,454,795). Additionally, claims 26-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuter in view of Pinchasik.

Each of independent claims 1 and 21 recite an endoprosthesis including a plurality of longitudinal members having ends as well as a space between the ends of adjacent longitudinal members, wherein certain of the plurality of proximal and distal connections maintain the space between at least one pair of adjacent longitudinal members when the endoprosthesis is collapsed. Significantly, when the structure disclosed in the Chuter reference is collapsed, a space is not maintained between the ends of adjacent longitudinal members but rather, the adjacent longitudinal members come into contact resulting in there being no space between longitudinal members at their ends. Therefore, since the Chuter reference lacks the disclosure of the structure recited in independent claims 1 and 21 and their respective dependent claims, it does not anticipate the claims under § 102(b).

Moreover, it is significant that independent claims 1 and 21 also recite members which come into contact "to thereby isolate the proximal and distal ends from stresses associated with collapsing the endoprosthesis." The Pinchasik reference is completely devoid of any disclosure of an endoprosthesis which when collapsed come into contact to isolate proximal and distal ends from stresses. In fact, spaces between the members forming the stent disclosed in Pinchasik are only shown being maintained when the device is in its constricted diameter (See Col. 4, ln. 55 and Figs. 3a and 3b) and the spaces are actually increased during expansion (See Fig. 3c). Accordingly, it is clear that Pinchasik also does not anticipate the claims under § 102(b). As

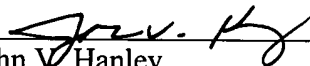
such, it is believed that each of the pending claims are allowable over the Pinchasik reference as well.

### CONCLUSION

Applicants have attempted to completely respond to the rejections set forth in the outstanding Office action. In view of the above remarks, Applicants respectfully request that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

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